

Notice of Allowability

Application No.

10/718,898

Examiner

William Bangachon

Applicant(s)

KERR ET AL.

Art Unit

2635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the application filed 11/21/2003.
2. ☒ The allowed claim(s) is/are 1-19, 21.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 4/20/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An Examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this Examiner's amendment was given in a telephone interview with Mr. Roland Schindler, II on September 28, 2005.

The application has been amended as follows:

PLEASE AMEND CLAIMS 1, 3, 12 AND 21. CANCEL CLAIMS 20 AND 22.

1. A holder for holding at least one medium bearing medical information, with the at least one medium having a radio frequency transponder associated therewith, the holder comprising:

a holding body to receive and hold the at least one medium bearing medical information;

an antenna; and

a radio frequency communication circuit connected to the antenna operable to sense a first electromagnetic field transmitted remotely by a radio frequency read write device, generate a near-distance second electromagnetic field in the holding body with the second electromagnetic field adapted to cause at least one radio frequency

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transponder associated with the at least one medium held by the holding body to respond with at least one near-distance third electromagnetic field that can be used to identify at least one medium bearing medical information within the holding body, wherein the radio frequency communication circuit further transmits a fourth electromagnetic field that can be used to identify at least one medium bearing medical information within the holding body to the remote radio frequency read write device.

3. The holder of claim 1, wherein the radio frequency communication circuit is powered by a power source within said holding body.

12. A medium management system, comprising:

at least one medium bearing medical information, with each at least one medium having an associated radio frequency transponder;

a holder for holding at least one medium, the holder having a holding body to receive and hold at least one medium, an antenna coupled to a radio frequency communication circuit operable to sense a first electromagnetic field transmitted by a remote radio frequency read write device, generate a near-distance second electromagnetic field in the holding body with the second electromagnetic field adapted to cause the radio frequency transponders associated with at least one medium held by the holding body to respond with near-distance electromagnetic fields that can be used to identify at least one medium within the holding body, wherein the radio frequency communication circuit further transmits electromagnetic fields that can be used to

identify at least one medium bearing medical information within the holding body to the remote radio frequency read write device.

21. The communication circuit of claim 12 wherein the near-distance is between 0.1 cm and 50 cm.

Response to Amendment

2. The amendment overcomes the prior art cited by the Examiner and placed the application in condition for allowance.

Allowable Subject Matter

3. Claims 1-19 and 21 are allowed.

4. The following is an Examiner's statement of reasons for allowance:

With regards to claims 1 and 12, the cited prior art do not disclose "a system for managing medium bearing medical information associated with a radio frequency transponder comprising: a holder with a holding body to receive and hold at least one medium, wherein each transponder is capable of communicating information over a near-distance; a radio frequency communication circuit connected to an antenna operable to sense a first electromagnetic field transmitted remotely by a radio frequency read write device, in response, generate a near-distance second electromagnetic field in

the holding body with the second electromagnetic field adapted to cause at least one radio frequency transponder associated with the at least one medium bearing medical information held by the holding body to respond with at least one near-distance third electromagnetic field that can be used to identify at least one medium bearing medical information within the holding body, wherein the radio frequency communication circuit, upon receipt of the at least one near-distance third electromagnetic field, further transmits a fourth electromagnetic field that can be used to identify at least one medium bearing medical information within the holding body to the remote radio frequency read write device" as shown in Figure 1.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

USP 6,714,133 (Hum et al) teach of a short-range communication system wherein an interrogator, worn by a user, is used to inform the user whether all the items listed in a users remind me list are within a bag or luggage or garment. Interrogated

tags are attached to these items {col. 10, lines 59+}. Repeater ports are used to extend the interrogation zone {col. 11, lines 59+}.

USP 6,563,425 (Nicholson et al) teaches of a passive repeater system for extending the range of magnetic flux used to identify and monitor contents of a product container {see whole document}.

USP 6,850,148 (Masudaya) teaches of a passive repeater system (Figure 3) used by vehicle thieves to relay a vehicle control signal transmitted by a portable device in the possession of a victim that is interrogated {see whole document}.

USP 6,805,667 (Christopherson et al) teaches of a repeater system for monitoring a physical and cardiac data obtained from one or more implantable RFID devices {see whole document}.

USP 4,952,913 (Pauley et al) teaches of a tag for use with personnel monitoring system {see whole document}.

USP 6,008,727 (Want et al) teaches of a system for transferring electronic information using tags attached to articles, files, etc. {see whole document}.

USP 6,598,799 (Jang) teaches of a system for tracking patient confidentiality forms {see whole document}.

USP 6,208,235 (Trontelj) teaches of a resonant circuit tag for producing near distance electromagnetic field {see whole document}.

USP 6,720,866 (Sorrells et al) teaches of a RFID tag that relies on either near distance electromagnetic field and far distance electromagnetic field to power its circuitry {col. 4, lines 9-21}.

None of the above patents teach of an RFID communication system as claimed.

Office Contact Information

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to William Bangachon whose telephone number is **(571)-272-3065**. The Examiner can normally be reached on 4/4/10.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Michael Horabik can be reached on **(571)-272-3068**. The fax phone numbers for the organization where this application or proceeding is assigned is **571-273-8300** for regular and After Final formal communications. The Examiner's fax number is **(571)-273-3065** for informal communications.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at **866-217-9197** (toll-free).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-4700.

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William L. Bangachon
Examiner
Art Unit 2635

September 29, 2005

MICHAEL HORABIK
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

